

SCHEDULE OF FEES

(Effective November 1, 1988, as amended May 25, 2004, eff. Sept. 1, 2004.)

As provided by 28 U.S.C. § 2633(a) and the Rules of the United States Court of International Trade, the following are fees to be charged for services provided by the Court. No fees are to be charged for services rendered on behalf of the United States, with the exception of those specifically prescribed in items 2, 5 and 6 of Additional Fees. No fees under this schedule shall be charged to federal agencies or programs, including, but not limited to, agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A, and Bankruptcy Administrator programs.

Filing Fees - Rule 3(b)

1. For filing an action other than one commenced under 28 U.S.C. § 1581(a) or (d)(1) . . \$ 150.00
2. For filing a summons in an action commenced under 28 U.S.C. § 1581(a) \$ 120.00
3. For filing an action commenced under 28 U.S.C. § 1581(d)(1). \$ 25.00
4. For filing a complaint in an action commenced under 28 U.S.C.
§ 1581(a) on or after November 1, 1997 \$ 30.00
5. For filing an appeal in the U.S. Court of International Trade to the
U.S. Court of Appeals for the Federal Circuit \$ 255.00

Attorney Admission Fees - Rule 74(b)(3)

For the original admission of an attorney to practice, including a certificate
of admission \$ 50.00

Additional Fees - Rule 80(g)

The clerk shall collect in advance from the parties fees for miscellaneous services as are consistent with the "Judicial Conference Schedule of Additional Fees for the United States District Courts." The additional fees that are applicable to the court are as follows:

1. For filing or indexing any paper not in a case or proceeding for which a case filing fee has been paid (e.g., filing a petition to perpetuate testimony pursuant to Rule 27, the filing of letters rogatory or letters of request, and the registering of a judgment pursuant to 28 U.S.C. § 1963). \$ 39.00

2. For every search of the records of the court for each case searched. This fee shall apply to services rendered on behalf of the United States if the information requested is available through electronic access. The court has adopted guidelines consistent with those promulgated by the Judicial Conference of the United States to provide guidance in the application of this fee. The Guidelines are attached to this Schedule of Fees.

.....\$ 26.00

3. For certification of any document or paper, whether the certification is made directly on the document or by separate instrument \$ 9.00

4. For exemplification of any document or paper \$ 18.00

5. For reproducing any record or paper, including paper copies made from either original documents; or microfiche or microfilm reproductions of the original records. This fee shall apply to services rendered on behalf of the United States if the record or paper requested is available through electronic access. \$5.00

6. For reproduction of magnetic tape recordings, either cassette or reel-to-reel (including the cost of materials). \$ 26.00

7. For each microfiche sheet of film or microfilm jacket copy of any court record, where available \$ 5.00

8. For retrieval of a record from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court \$ 45.00

9. For a check paid into the court which is returned for lack of funds \$ 45.00

10. For a duplicate certificate of admission or certificate of good standing \$ 15.00

11. For handling registry funds, a charge shall be assessed from interest earnings and in accordance with the detailed fee schedule issued by the Director of the Administrative Office of the United States Courts.

SEARCH FEE GUIDELINES

The following guidelines reflect, to the maximum extent possible, (1) the duty of the clerk's office to provide access to the court's records, and (2) the efficient use of the limited resources available in the clerk's office. These guidelines attempt to strike a fair balance between these two competing concerns. In addition, the guidelines are intended to be consistent with the search fee applicable to the other federal courts.

The guidelines are meant to inform the clerk's discretion, not to limit it. Thus, the guidelines are not meant to be hard-and-fast rules on the application of the search fee; rather, they are meant to be parameters within which the clerk's office may operate.

Guideline No. 1

Any information which is easily retrieved, with a minimum expenditure of time and effort, will be considered a non-chargeable "retrieval," as opposed to a chargeable search. A search fee will not be charged for a single request for basic information readily retrievable through an automated database. A request of this nature will be considered a "retrieval" and will not be considered a "search."

The advent of the automated database has greatly diminished the resource strain on the clerk's office when retrieving basic information about a case. Basic information is defined as any information which is easily retrievable from an automated database or from the front of a docket sheet. Basic information which may be retrieved without a search fee may include: (1) the name of a party when the case number is provided; (2) the number of a case when the plaintiff or defendant is known; (3) the date a summons or complaint was filed when the case number is provided; (4) the name of a party's attorney when the case number is provided; (5) the status of the case generally when the case number is provided.

The public is encouraged to come to the court to conduct searches for information, and to utilize the court's automated database. Within limits, the clerk's office will assist those attempting to use the docket sheets or computers placed for the public's use.

If the request is made by telephone, and does not require a written response, no charge will be imposed if it is a single request and can be answered easily by examining a docket sheet or through the automated database.

Guideline No. 2

A search fee will be charged for any request for which accurate court number and docket information is not provided by the requestor and which therefore requires a physical search of the court's records.

A request for information where documents or pleadings are not identified by the requestor, with accurate and complete court number and docket information, and which therefore requires a *physical* search of the court's records (whether automated or hard copy) will be considered a "search" which is properly chargeable.

Guideline No. 3

With limited exceptions, a fee will be charged for all written search requests which require a written response.

A written request is defined as any search request made in writing which requires a written response. Because of the time and resources which must be expended in order to respond to a written request, such a request will be considered a search which is subject to the fee, even if the request is for basic information which may be obtained from an automated database or the docket sheet. An exception is the situation where a written request for "basic" information (as defined above), can be responded to by having the clerk's office staff provide a handwritten response on the requestor's letter (as opposed to requiring a separate document in response) and where the requestor has provided a self-addressed, stamped return envelope. In this situation, the time and effort involved do not warrant the imposition of the search fee.

The search fee should be included with the request, and the clerk's office will not process a written request until the search fee is received.

Guideline No. 4

Where requested information is available on an automated database, a requestor seeking information via the telephone may be required to utilize that database, instead of having a court employee conduct the information retrieval.

Much basic information which is sought may be retrievable by a requestor through an automated database without the need for any direct communication with a court employee. In order to maximize the utility of the court's automated database and minimize the expenditure of court personnel time, the court may require a requestor to use that database. This guideline is applicable when users can reasonably be expected to avail themselves of that particular service.

Guideline No. 5

When an automated database is available, a computer terminal with suitable data protection will be made available for use by the public. When a computer terminal is available for use by the public, the court may adopt the policy set forth in Guideline No. 4 for in-person requests for basic information, i.e., the clerk's office may require an in-person requestor to utilize the public computer terminal rather than having a clerk's office employee retrieve the information.

Guideline No. 6

Requests for archived documents shall be charged only the archive retrieval fee and not the additional search fee.

Item 8 of the court's Schedule of Additional Fees provides that a fee shall be charged for retrieval of a record from any place that such record may be archived. The Schedule of Fees does not refer to any additional fee for such retrieval, and the court did not contemplate two separate fees (one for the request and one for the retrieval) to be charged when a particular document is off-site.

However, the search fee may be charged to an individual who makes a request to the clerk's office for box, location, and accession information of a document in order to conduct his or her own search of the Records Center. In such a case, a physical search of the court's records would be necessary in order to obtain the information, and a search fee would be appropriate.

In order to reduce the time involved in responding to these types of requests, and also to make this information more accessible to the public, the court may automate this information or make a duplicate accession number book available to the public.

Guideline No. 7

The clerk has the general authority to refuse to conduct searches which are unreasonable or unduly burdensome.

The clerk of court has the responsibility of being responsive to parties in interest in cases pending in the court. However, this does not mean that either the public or government agencies have an unfettered right to make unreasonable or unduly burdensome demands upon the resources and personnel of the clerk's office. The clerk will refuse to conduct searches which would require a disproportionate expenditure of time and/or resources, and will encourage entities making such requests to conduct their own search of court records. This includes a request for information which, instead of comprising a single request, includes a list of numerous names or items to be searched. Such requestor will be encouraged to utilize the court's automated database to obtain the desired information.

This procedure applies to federal agencies as well. Although search and copying fees are waived for federal agencies, the clerk is not required to accommodate search or copy requests from such agencies which are unduly burdensome or time-consuming. Because of the volume of requests that often comes from federal agencies, the court may invite or encourage federal agencies (or a local representative), to come into the court to conduct their own searches and will allow them to use court copy facilities.